REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-25 are presently active in this case, Claims 1, 2, 5, 9-11, 14, 15, 19, 21, and 22 having been amended and Claims 24 and 25 having been added by way of the present Amendment.

Claims 6-8, 16-18, and 23 are allowed.

In the outstanding Official Action, Claims 1-5, 9-15, and 19-22 were rejected under 35 U.S.C. 102(e) as being anticipated by Applegate et al. (U.S. Patent No. 5,995,774). For the reasons discussed below, the Applicant traverses the anticipatory rejection.

In the Office Action, the Applegate et al. reference is indicated as anticipating each of Claims 1-5, 9-15, and 19-22. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a singe prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Applegate et al. reference clearly does not meet each and every limitation of the independent Claims 1, 10, 19, 21, and 22.

Claim 1 of the present application recites a method of determining whether a storage unit in an ink cartridge is normal, which includes a step of reading a piece of ink related information and identifying whether the read-out piece of ink related information satisfies the predetermined format, so as to determine whether the storage unit is normal or whether the storage unit is not normal if the read-out piece of ink related information has been destroyed.

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Claim 10 recites a printer comprising a reading unit reading a piece of ink related information from a storage unit, and a decision unit identifying whether the read-out piece of ink related information satisfies the predetermined format so as to determine whether the storage unit is normal or whether the storage unit is not normal if the read-out piece of ink related information has been destroyed. Claim 19 recites a storage unit comprising a storage element that stores plural pieces of specific information including a piece of ink related information registered in a predetermined format and that is sequentially accessed based on the count output from the address counter. Claim 21 recites a computer readable recording medium, on which a specific computer program is recorded that is used to determine whether a storage unit is normal. The specific computer program comprises a program code that causes a computer to read a piece of ink related information, a program code that causes the computer to identify whether the read-out piece of ink related information satisfies the predetermined format, and a program code that causes the computer to determine that the storage unit is not normal in the case where the read-out piece of ink related information does not satisfy the predetermined format if the read-out piece of ink related information has been destroyed. And Claim 22 recites a method of determining whether a readable and writable storage unit is normal comprising the steps of reading a piece of ink related information from the storage unit, and determining whether the storage unit is normal based on the read-out piece of ink related information or whether the storage unit is not normal if the read-out piece of ink related information has been destroyed.

The Applicants respectfully submit that the Applegate et al. reference does not disclose all of the limitations recited in pending independent Claims 1, 10, 19, 21, and 22.

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The Applicants submit that the Applegate et al. reference describes an identification method that includes a determination as to whether a ROM provided with a cartridge is an appropriate ROM. If the ROM is an appropriate ROM, then the process is continued to be carried out. If the ROM is not an appropriate ROM, then the process is discontinued. This identification is implemented by determining whether the type of ROM is "Unique Ware" or "the second part." More specifically, the determination is implemented based on the family code stored in a header of the ROM.

The Applegate et al. reference neither discloses nor suggests a method in which a determination is made regarding whether a storage unit is normal based on ink related information. The Applegate et al. reference merely describes the determination of the type of ROM by using the family code, which is information indicating the type of ROM directly. In the Applegate et al. reference, the appropriate ROM means the required ROM.

On the contrary, the present invention as recited in Claims 1, 10, 21, and 22 requires the determination of whether a storage unit is normal based on the ink related information or whether it is not normal if the ink related information has been destroyed, and Claim 19 requires a storage unit having a storage element that stores a piece of ink related information. (See, generally, Figs. 11 and 12.) The ink related information is not a kind of information that indicates whether a storage unit is a required ROM, as in the Applegate et al. reference. The Applegate et al. reference also does not describe determining that the unit is not normal if the ink related information has been destroyed.
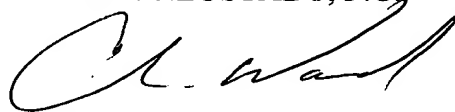
Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejection of Claims 1, 10, 19, 21, and 22, and the claims that depend therefrom.

Consequently, in view of the above discussion, it is respectfully submitted that the

present application is in condition for formal allowance and an early and favorable

reconsideration of this application is therefore requested.

Respectfully Submitted,

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